

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

JIMBO'S NATURAL FAMILY, INC., a
California corporation; and JAMES SOMECK
and JO ANN DIEHL, as fiduciaries of the
Jimbo's Natural Family, Inc. 401(k) Retirement
Plan,

Plaintiffs,

v.

JUDITH SEID, an individual; and FIRST
AFFIRMATIVE FINANCIAL NETWORK,
LLC, a Colorado limited liability company,

Defendants.

Civil No. 07cv0146-DMS (CAB)

**ORDER GRANTING JOINT MOTION TO
EXTEND EXPERT REPORT/EXPERT
DISCOVERY DATES**

The parties have filed a joint motion to extend (certain expert) discovery dates. [Doc. No. 25.]
After reviewing the joint motion, and good cause appearing, the joint motion is **GRANTED. IT IS
HEREBY ORDERED:**

1. Each expert witness designated by the parties shall prepare a written report to be provided to
all other parties no later than **February 1, 2008**, containing the information required by Fed. R. Civ. P.
26(a)(2)(A) and (B).

Except as provided in the paragraph below any party that fails to make these disclosures

1 shall not, absent substantial justification, be permitted to use evidence or testimony not disclosed
2 at any hearing or at the time of trial. In addition, the Court may impose sanctions as permitted by
3 Fed. R. Civ. P. 37(c).

4 2. Any party, through any expert designated, shall in accordance with Fed. R. Civ. P. 26(a)(2)(C)
5 and Fed. R. Civ. P. 26(e), supplement any of its expert reports regarding evidence intended solely to
6 contradict or rebut evidence on the same subject matter identified in an expert report submitted by
7 another party. Any such supplemental reports are due on or before **February 15, 2008**.

8 3. All expert discovery shall be completed on or before **February 29, 2008**. "*Completed*"
9 means that all discovery under Rules 30-36 of the Federal Rules of Civil Procedure must be initiated a
10 sufficient period of time in advance of the cut-off date, so *that it may be completed* by the cut-off date,
11 taking into account the times for services, notice, and response as set forth in the Federal Rules of Civil
12 Procedure. All discovery motions must be filed within 30 days of the service of an objection, answer or
13 response which becomes the subject of dispute or the passage of a discovery due date without response
14 or production, and only after counsel have met and conferred and have reached impasse with regard to
15 the particular issue.

16 All other dates set forth in this Court's Case Management Conference Order [Doc. No. 19
17 and as modified in Doc. No. 23] shall remain in effect, **including** the requirement that all motions, other
18 than motions to amend or join parties, or motions in limine, shall be **FILED** on or before **February 22,**
19 **2008**.

20 **IT IS SO ORDERED.**

21
22 DATED: January 23, 2008

23
24 
25 CATHY ANN BENCIVENGO
26 United States Magistrate Judge
27
28